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The New Jersey Division of Consumer Affairs is re-issuing the following guidance regarding the issuance of multiple prescriptions of a Schedule II controlled dangerous substance to a patient.

Since March 1, 2010, pursuant to N.J.S.A. 45:9-22.19, **only physicians** licensed by the New Jersey Board of Medical Examiners, are permitted to issue multiple prescriptions, authorizing a patient to receive a total of up to a 90-day supply of a Schedule II controlled dangerous substance.

Under the law and corresponding Board regulation, N.J.A.C. 13:35-7.6(c)3, a physician may issue multiple prescriptions to a patient so that the patient may receive a total of up to a 90-day supply of a Schedule II controlled dangerous substance provided that:

- i. Each separate prescription is issued for a legitimate medical purpose by the physician acting in the usual course of professional practice;
- ii. The physician provides written instructions on each prescription, other than the first prescription if it is to be filled immediately, indicating the earliest date on which a pharmacy may fill each prescription;
- iii. The physician determines that providing the patient with multiple prescriptions in this manner does not create an undue risk of diversion or abuse; and
- iv. The physician complies with all other applicable State and Federal laws and regulations.

Similarly, the New Jersey Controlled Dangerous Substance regulation, N.J.A.C. 13:45H-7.5(a) provides that, when up to three separate prescriptions for a total of up to a 90-day supply of a Schedule II controlled substance are issued to a patient by a physician pursuant to N.J.S.A. 45:9-22.19 (P.L. 2009, c. 165), a pharmacist shall fill such prescriptions and the prescriptions may not be filled until the date indicated on the prescription by the physician as the earliest date for filling.

The exception provided by N.J.S.A. 45:9-22.19 (*P.L. 2009, c.165*) **does not** apply to any other licensed prescriber/practitioner, including: dentists, optometrists, veterinarians, advanced practice nurses, certified nurse midwives, and physician assistants.

Sincerely,

Steve C. Lee
Acting Director
Division of Consumer Affairs